

BILL ANALYSIS

Senate Research Center
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S.B. 651
By: Carona
Jurisprudence
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As Filed

DIGEST

Currently, under Texas law, when a vehicle is registered outside the State of Texas, there is no procedure by which a storage facility may notify the owner and lienholders of a towed vehicle. S.B. 651 would set forth requirements which a storage facility must meet regarding the notification of the owner or lienholder of a towed vehicle in a storage facility when the vehicle is registered outside the state, gives the storage facilities a legal tool to dispose of the vehicle to recoup their expenses, and changes the notification deadline to five days.

PURPOSE

As proposed, S.B. 651 establishes possessory liens on certain motor vehicles, motorboats, vessels, or outboard motors.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 70.004, Property Code, to require a holder of certain liens under a state law or city ordinance to give notice for a motor vehicle, motorboat, vessel, or outboard motor (motor vehicle); registered in the state to the last known registered owner and each lien holder of record not later than the fifth, rather than the 10th, day after the day possession is obtained. Requires the notice to be given to certain individuals not later than the 14th day after the day possession of a motor vehicle registered outside of the state is obtained. Authorizes the notice to be given by publishing the notice once in a newspaper of general circulation in the county in which the motor vehicle is stored providing certain conditions. Entitles a person to fees for towing; impoundment, rather than preservation; and notification and to reasonable storage fees for up to five days before the day that the notice is mailed or published. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 70.006, Property Code, to require the holder of a lien who retains possession during the 30-day period after charges accrue to give notice of a motor vehicle registered outside of the state to the last known registered owner and each lienholder of record. Makes conforming and nonsubstantive changes.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.